



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

Applicant(s): Roger Dahl et al.

Docket: P-9334.00

Serial No.: 10/034,905

Group Art: Unknown

Filed: December 28, 2001

Examiner: Unknown

Title: SYSTEM FOR PROVIDING ELECTRICAL STIMULATION TO A
LEFT CHAMBER OF A HEART

Commissioner for Patents
Washington, D.C. 20231
Attn: Special Program Law Office

DECLARATION AND PETITION UNDER C.F.R. §1.47

I, Girma Wolde-Michael declare as follows:

1. I am the patent attorney of record for the above-identified U.S. patent application entitled SYSTEM FOR PROVIDING ELECTRICAL STIMULATION TO A LEFT CHAMBER OF A HEART.

2. The invention was made by Roger Dahl, Thomas M. Soukup, Joe Perttu, Arnold Thornton, Elisabeth L. Belden and John L. Sommer while they were employees of Medtronic, Inc.

3. Medtronic, Inc. intends to incorporate the invention in both current and future medical devices.

4. This Declaration is submitted on behalf of Medtronic, Inc. to the Special Program Law Office to accord the application status under 37 C.F.R. 1.47. The facts recited herein are based on my personal knowledge unless otherwise stated.

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OFFICE OF PETITIONS

5. Mr. Joe Perttu is no longer a Medtronic, Inc. employee. On or about January 22, 2002, I contacted Mr. Joe Perttu to execute an Assignment of the invention to Medtronic, Inc. Mr. Joe Perttu has refused to execute the application papers.

6. Attached herewith please find the Assignment and the Combined Declaration/Power of Attorney executed by Roger Dahl, Thomas M. Soukup, Arnold Thornton, Elisabeth L. Belden and John L. Sommer, co-inventors in the subject patent application.

7. Because of the lack of cooperation on the part of Mr. Joe Perttu to execute the Assignment and Combined Declaration/Power of Attorney papers, and because of Medtronic's proprietary interest in the matter, his defying action under 37 C.F.R. §1.47, and because such action is necessary to preserve the rights of Medtronic, Inc. and to prevent irreparable damage otherwise, the Commissioner is respectfully requested to grant agency to Medtronic, Inc. for Roger Dahl, Thomas M. Soukup, Arnold Thornton, Elisabeth L. Belden and John L. Sommer.

8. A bonafide attempt has been made to comply with the provisions of 37 C.F.R. §1.47. The statements and declarations made are deemed acceptable under 37 C.F.R. §1.47, and the Commissioner is requested to deem the Assignment and the required papers sufficient in compliance with the applicable regulations.

Respectfully submitted,

Date: 04/08/02


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